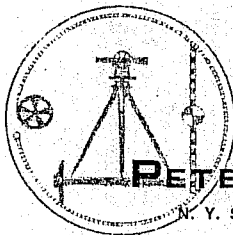


# Exhibit “A” to Amended Verified Petition

MAIL ALL REMITTANCE TO:  
P. O. BOX 777  
BEACON, N. Y. 12508  
(914) 831-0100



**PETER R. HUSTIS**

N. Y. S. LICENSED LAND SURVEYOR

OFFICE ESTABLISHED 1813

828 BROADWAY  
NEWBURGH, N. Y. 12550  
(914) 562-0060

March 5, 1982

Re: Mehlon Trucking  
Kings Hill Road  
Town of Montgomery  
Orange County,  
New York

New York State Department  
of Environmental Conservation  
21 South Putt Corners Road  
New Paltz, New York 12561

Attn: Mr. Louis J. Dushek

Dear Mr. Dushek:

The following will be a narrative description on the proposed mining and reclamation to be carried out on the above referenced site. I have been authorized by the applicant to prepare this description. The contents are from field inspections, my own expertise and conversations and meetings with the owners of the property and the applicant.

The above referenced mining site is located on the North side of Kings Hill Road in the Town of Montgomery and is presently owned by Virginia Thorne and Chet Dunn, RD 1, Rock Cut Road, Walden, New York 12586, Tel: 778-5651. The property is to be mined by Mehlon Trucking, c/o Leon and Dixie Mehl, RD 1, Rock Cut Road, Walden, New York, Tel: 564-0875.

The proposed mining site (4 acres) consists of a portion of a large tract (177 acres) which lies on the North side of Kings Hill Road in the Town of Montgomery (section 3, block 1, lot #96.2). The property is in the shape of a rectangle approximately 1500 feet along Kings Hill Road and running in a depth of approximately 3000 feet, and the 4 acre portion to be mined is in the extreme Northeasterly corner of the 177 acre parcel of land.

The state of condition of the mine now is one of a operational open excavated area. The mine has been operating for over 20 years on a low scheduled operation by the existing owners, and applicant.

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The area in which the proposed mining will take place as stated is in an existing mine area of approximately 4 acres. The area has been cleared of all trees and scrubby, but is completely surrounded by a hardy group of trees and scrubby. There is not any permanent water courses or wet areas within the proposed mining site. The mining operation will be a unconsolidated mine for the propose of extracting shale as shown on a map entitled, "Site Plan For Soil Mining and Reclamation", prepared for Mehlon Trucking, prepared by myself, Peter R. Hustis. The entire area consists of layers of blue shale.

The applicant does have a small shale crushing machine set up on the site for the purpose of crushing the shale into small pieces. There is no washing or other preparation of the material on the site. The shale will be located on trucks for removal off the site by mechanical front end loaders.

It is proposed that approximately 50 to 75 thousand yards of material will be removed from the site creating a final contouring as shown on the said site plan for soil mining and reclamation. The final grades on the slops will be a maximum slop of 1 on 2. There will be no excavation within 25 feet of an adjoining property line.

All stock piles, spoilage banks, if any, equipment, etc. must remain at least 25 feet from the property line and/or easement lines and the piles or banks must be constructed with slopes which donot exceed the maximum angles of response. The materials to be removed from the site by trucks will travel over an existing dirt road from the proposed site in a Southerly direction for approximately 250feet to Kings Hill Road. The entrance on to Kings Hill Road has been in operation for the past 20 years or longer and there is reputed to be no prior problems with this access. As to this date there are no residential or other existing structures which are occupied by people within 6 to 8 hundred feet of our proposed mining area. The ones that do exist are at a lower elevation and the area to be mined and are protected by 500 to 1000 feet or greater of existing woods.

It is the applicants intention to have the mine operated in such a manner that the excavations will be planned so that the areas that are disturbed and exposed are kept to a minimum. A field inspection at this time would show that the mine which has been operating for 20 years or longer has been maintained and kept in a well stabled condition.

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It is the applicants intention to have the mine operated in such a manner that the excavations will be planned so that areas that are disturbed and exposed are kept to a minimum and they will stabilize erodible surfaces as soon as possible. This will be done by maintaining one or more procedures to reduce erosion, and to prevent sediment from reaching possible water ways. The methods used are outlined in the mine land reclamation mine operators handbook prepared by the New York State DEC. Such procedures are outlined on page 111-36 and 37.

The entire area except where ledge rock may be exposed shall be covered with 4 inches of top soil and be seeded with a Kentucky blue grass and rye grass seed mixture. If required, other mixtures and fertilizing may be used to create a better cover and to satisfy the New York State DEC. It is the intention of the applicant to reclaim areas which will no longer be mined as the mining operation progresses rather than wait until the entire operation is completed and then proceed to soil mining. This is to be performed for 2 reasons. To maintain and stabilize any possible erosion, and also to lower the amount of the reclamation bond.

If any further information is needed, please feel free to contact me at my office.

Very truly yours,



PETER R. HUSTIS  
N.Y.S. Licensed  
Land Surveyor

PRH-dhh

cc: Leon and Dixie Mehl  
Virginia Thorne  
Chet Dunn  
Carl Helstrom